

UNITED STATES DISTRICT COURT
SOUTHERN DIVISION FOR THE WESTERN DISTRICT OF MICHIGAN

VICKIE WRIGHT,

Plaintiff,

v

NATIONAL TRAPPERS ASSOCIATION,
JOHN DANIEL and MATT LUMLEY,

Defendants.

)

) Case No.: 22-885

) HON.

)

) Lower Court Case No.: 22-16395-CZ

) Honorable Scott Hill-Kennedy

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JASON M. SHINN (P64453)
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GREGORY W. MAIR (P 67465)
Attorneys for Defendants
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NOTICE OF REMOVAL

NOW COMES the above-named Defendant, NATIONAL TRAPPERS ASSOCIATION, JOHN DANIEL and MATT LUMLEY, by and through their attorney, GREGORY W. MAIR, and file their Notice of Removal from the 49th Judicial Circuit Court, Civil Division in the County of Osceola, State of Michigan to the United States District Court for the Western District of Michigan, Southern Division pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441 stating as follows:

1. This matter is hereby removed pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1441.

2. Plaintiff commenced the above-entitled action in the 49th Circuit Court, Civil Division for the County of Osceola, State of Michigan and said case is now pending under Case No.: 22-16395-CZ. A copy of the Plaintiff's Complaint is attached hereto as Exhibit No. 1.

3. That this is a civil action by Plaintiff, Vickie Wright, alleging seven (7) causes of action against the National Trappers Association and its President and Vice President relative to her independent contractor agreement with Defendant National Trappers Association.

4. That the Plaintiff's damages are alleged to exceed this Honorable Court's jurisdictional minimum.

5. That this Notice of Removal is timely filed under 28 U.S.C. § 1446(b)(3) as it has been filed within thirty (30) days after service of copies of the Plaintiff's Complaint and state court proceedings.

6. That this Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1441 in which the parties have diverse citizenships as Defendant, National Trappers Association is based in the State of Indiana, Defendant Daniel resides in the state of Tennessee and Defendant Lumley resides in the State of Montana and the amount in controversy exceeds \$75,000.00.

7. Upon the filing of this Notice of Removal, these Defendants will promptly serve a copy of this document together with a Notice of Removal of Case to Federal Court on all adverse parties pursuant to 28 U.S.C. § 1446. Said Notices will also be filed with the Clerk of the Court for the 49th Circuit Court for the County of Osceola, State of Michigan.

8. When filing this Notice, Defendants do not waive any defenses which may be available to them including, but not limited to, the absence of personal jurisdiction over these Defendants or improper venue in this Court from which this action has been moved.

9. Plaintiff, by way of her counsel, does not oppose the Notice of Removal filed by Defendants.

WHEREFORE, Defendants, NATIONAL TRAPPERS ASSOCIATION, JOHN DANIEL and MATT LUMLEY, pray that the above-entitled action be removed from the 49th Circuit Court for the County of Osceola, State of Michigan and into the United States District Court for the Western District of Michigan, Southern Division.

Respectfully Submitted,

Dated: September 23, 2022

/s/GREGORY W. MAIR (P67465)
Attorney for Defendants
300 St. Andrews Road, Suite 302
Saginaw, MI 48638

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing paper with the Clerk of the Court using ECF system which will send confirmation of such filing to the following:

Gregory W. Mair

gmair@owdpc.com
dmcclure@owdpc.com
sheryl@owdpc.com
jmconnolly@owdpc.com

I hereby certify that I send the foregoing paper via U.S. mail on September 21, 2022 to:

Jason M. Shinn
Attorney at Law
3080 Orchard Lake Rd., Suite C
Keego Harbor, MI 48320

Respectfully Submitted,

Dated: September 23, 2022

/s/GREGORY W. MAIR (P67465)
Attorney for Defendants
300 St. Andrews Rd., Ste. 302
Saginaw, MI 48638